

Providence City Planning Commission Agenda
Providence City Office Building, 15 South Main, Providence UT 84332
September 23, 2015

The Providence City Planning Commission will begin discussing the following agenda items at 6:00 p.m.
Anyone interested is invited to attend.

Approval of the Minutes:

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of September 9, 2015.

Public Hearing: the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposed amendments to Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Requirements, Section 3 Setbacks allowing an covered porch to extend into the front yard setback, before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

Action Items:

Item No. 1. Proposed Code Amendment: The Providence City Planning Commission will consider for recommendation to the Providence City Council proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Requirements, Section 3 Setbacks allowing an uncovered porch to extend into the front yard setback.

Study Items:

Item No. 1. Proposed General Plan Amendments: The Providence City Planning Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the zoning districts for future annexation and future rezone of existing districts.

Item No. 2. Proposed Code Amendment: The Providence City Planning Commission will discuss a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, establishing regulations for Commercial Neighborhood District by adding Section 6 Commercial Neighborhood District.

Item No. 3. Proposed Code Amendment: The Providence City Planning Commission will discuss proposed code amendments to Providence City Code Title 10 Zoning Regulations, Chapter 15 Sign Regulations, including but not limited to adding Feather Flags (Sail Banners).

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

Agenda posted by Skarlet Bankhead on September 18, 2015.


Skarlet Bankhead
City Recorder

If you have a disability and/or need special assistance while attending the Providence City Planning Commission meeting, please call 435-752-9441 before 5:00 p.m. on the day of the meeting.

Pursuant to Utah Code 52-4-207 Electronic Meetings – Authorization – Requirements the following notice is hereby given:

- Providence City Ordinance Modification 016-2006, adopted 11/14/2006, allows Planning Commission Member(s) to attend by teleconference.
- The anchor location for this meeting is: Providence City Office Building, 15 South Main, Providence, UT.
- Member(s) may be connected to the electronic meeting by teleconference.

Providence City Council Members may be in attendance at this meeting; however, no Council action will be taken even if a Quorum exists.

1 **Providence City Planning Commission**
2 **Providence Historic Preservation Commission**
3 **Joint Meeting September 9, 2015** 6:00 p.m.
4 **Providence City Office Building**
5 **15 South Main, Providence UT 84332**

7 **Attendance:**

8 **Planning Commission:**

9 Chair: Larry Raymond
10 Commissioners: Kirk Allen, Heather Hansen, Robert James
11 Excused: William Baker, Barry Nielsen, Wendy Simmons

12 **Historical Preservation Committee:**

13 Chair: Howard Christensen
14 Committee Members: Wes Bitters, Lindsay Campbell, Gail Trowbridge

16 **Approval of the Minutes:**

17 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of August 26, 2015.

18 **Motion to approve minutes of August 26, 2015: R James, second – H Hansen**

19 **Vote:** Yea: K Allen, H Hansen, R James, L Raymond
20 Nay: None
21 Abstained: None
22 Excused: W Baker, B Nielsen, W Simmons

23 **Item No. 2.** The Providence Historic Preservation Commission will consider for approval the minutes of June 15, 2015.

25 **Motion to approve the minutes of June 15, 2015: L Campbell, second – W Bitters**

26 **Vote:** Yea: W Bitters, L Campbell, H Christensen, G Trowbridge
27 Nay: None
28 Abstained: None
29 Excused: None

30 **Guest Presentation:** Danny Macfarlane will review a development guidebook, prepared by his company, entitled
31 "Smart Growth for Cache Valley."

- 32 • D Macfarlane reviewed the concepts covered in the booklet.
- 33 • L Raymond asked if Danny had made this presentation to the City Council.
- 34 • D Macfarlane said he will coordinate that with Skarlet. He said if there were specific items the Planning
- 35 Commission wanted him to cover with City Council he will do it.
- 36 • L Raymond said all the Planning Commission can do is recommend to the City Council, then it is up to
- 37 them to make decisions.
- 38 • K Allen asked at what point trails and walking paths get incorporated into the city plan.
- 39 • D Macfarlane said it could be written into the ordinance and the master plan, then developers will have to
- 40 accommodate the ordinance as development comes. Trails are the number one desired amenity.
- 41 • S Bankhead said a few years ago there was a master plan that was very nice. The City had applied for a
- 42 grant and received it, but had to turn it back. Developers were on board with the plan, but as time went
- 43 on people did not want walkers in their back yards so developers pulled back. Eminent domain could not
- 44 be used to acquire the land so it went to private ownership.
- 45 • L Raymond brought up the fact that many times people come to the meetings and express their views of
- 46 Providence being a bedroom community and they want it to stay that way; mostly the older generation
- 47 and not younger families.
- 48 • K Allen said a lot of people contact him and ask when walking paths are going to be incorporated.
- 49 • D Macfarlane said a lot of times people think trails are going to be in their back yards, when in reality, nice
- 50 trails can be built in the City right-of-way. He felt that Canyon Road was a good example of how that can
- 51 be accomplished. He also discussed briefly power commercial centers and housing diversity.
- 52 • H Christensen said when he lived in California he noticed all apartments were in one location which
- 53 created a lot of issues with the schools. The apartments were too transient and, therefore, schools failed.
- 54 Diversified neighborhoods are a better way to go.

- D Macfarlane also commented on the principle of keeping farmlands and wetlands, etc., and transfer of development rights. Recreation networks are also important to be incorporated. As businesses look to locate in certain areas, those are things they look at in considering how the city invests in citizens and businesses.
- S Bankhead asked Danny to review how the historic district is worked into city planning so it doesn't just disappear over time.
- D Macfarlane said he feels infill is the most efficient way to develop and preserve historic neighborhoods. For smart growth there is a lot of opportunity for the interior of the city blocks.
- H Christensen felt caution needed to be used in allowing that type of development to move forward.
- K Allen said if you look down the road 30 to 40 years, there probably isn't any way to stop that type of development. The city needs to have a plan in place so it isn't chaotic development and it is well managed.
- D Macfarlane said form-based codes can apply to residential as well as commercial/industrial properties and that is a way to control the development of the historic district.
- H Hansen asked if Danny had any examples of form-based codes.
- D Macfarlane said Logan and North Logan. He felt guidelines and parameters need to be in place, then allow the market will dictate how that type of growth occurs.
- L Raymond asked about Providence Hollow.
- S Bankhead said the developers had some really nice looking features, but those features cost tax payer dollars and most people are not willing to have their taxes increased to support those types of projects so the developer decided to make it a private park area. Also, currently we do not have a City Council that is in favor of supporting more parks, trails and recreation.
- L Campbell asked if the CND was an effort to increase the property tax revenue.
- S Bankhead said this is a zone that has been on the books, but it needs to be defined and regulated or we need to get rid of it. That is what Planning Commission is trying to do right now.
- D Macfarlane said a good general plan and a good trail plan will be the road map of where you want Providence to be in the future.
- K Allen commented that now is the time to start addressing the future needs of Providence.

Study Items:

Item No. 1. Proposed General Plan Amendments: The Providence City Planning Commission and Historic Preservation Commission will discuss possible amendments for the zoning element of the Providence City general plan; including the zoning districts for future annexation and future rezone of existing districts.

- L Raymond asked the Historical Preservation Committee to offer their thoughts on the Historical District and in regards to the CND and future planning for Providence.
- H Christensen discussed the Historical District and the intensive level surveys that have been done and those that are going to be done in the near future. He discussed the bell tower monument at the elementary school they are working on currently. These project are being done to help preserve the history of Providence.
- R James asked what the goal and vision of the HPC was in 10 or 20 years for Providence.
- H Christensen said he wants people to know and understand the hard work that went into building Providence City. They want people to know the history of Providence.
- L Campbell said the focus is on structures and we want to get as much history as we can on the buildings while the buildings are still standing. More awareness of the history is a main goal of the Commission.
- R James asked how these buildings are going to be preserved.
- W Bitters said the Historical Committee is concerned with preserving the history of some of these buildings that are unique to Providence. We hope the Planning Commission can help us in that effort to preserve and protect these buildings.
- R James said he isn't sure what ability the Commission has other than zoning to protect historic buildings.
- S Bankhead said again, a lot of these concerns come down to money. If the owner of the Old Rock Church wants to tear the building down, the City can't do anything to stop it other than purchase the building and preserve it themselves. Most people do not want government funds used to preserve buildings, but they also don't want those buildings to go away. At some point people need to realize that if these buildings, parks, roads, trails, etc. are going to materialize or remain intact, financial support from the citizens will be required. However, the code could be written to protect some of these buildings.

- R James said that is a perfect example of form-based code – the building remains and maintains its historical look, but the use of the building can vary.
- L Raymond asked if there are structures that are on the National Historic Register.
- H Christensen said all the homes in the brochure qualify, but it is up to the owners to purchase the plaque.
- S Bankhead said it is mostly an honorific type of thing. Even if it is on the National Historic Register, the city is still very limited in what they can do.
- W Bitters said all these homes are privately owned. The hope is owners and other people will realize the importance of the homes they live in and make an effort to preserve the homes.
- H Christensen said the rough definition of what is an historic home or if a home can be on the National Register is if it can be recognized by the original owner.
- L Raymond asked the HPC if they had any ideas of language that they wanted to put into the zoning ordinances regarding historic preservation.
- L Campbell asked if the Commission was going to go ahead with the CND zoning or if the CND was still up for debate.
- L Raymond said the Planning Commission can only make recommendations to the City Council.
- H Hansen said the CND zone already exists, it just needs to be clarified and better defined and that is what the Planning Commission is trying to do.
- L Campbell said she lives in the historical district and Providence is unique in that it has the new commercial area as well as the historical commercial district. She likes having a community like that, but is also concerned about using the language of “commercial” rather than “home business”. Commercial based businesses where the owner does not live on site or may not even live in Providence is very different than home based businesses where the residents are very concerned about their neighborhood and how it looks.
- R James asked her how she felt about a lawyer or dental office coming in next door to her as long as the building was characteristic of a residential property.
- L Campbell said it is a big gamble. It would have to be restricted as far as traffic and hours of operation. It is a risk that as a homeowner she would not like.
- R James asked if her opinion would be different for a historic district rather than a residential district.
- H Christensen said it probably wouldn’t make much of a difference. People live in the historic district and they would not like businesses moving in any more than anyone else would. The problem is the HPC can preserve the histories, but not the buildings.
- W Bitters said he would have no problem with a lawyer’s office or a small retail operation in an historic type home in the historic district. As long as restrictions are in place and it looked historic, it would be a nice addition.
- H Hansen asked if there was some type of compromise that would make an owner of a commercial business in a CND live in the neighborhood, but not on the premises.
- S Bankhead said that could be a suggestion.
- R James said a lot can be limited and restricted by code as far as a CND goes.
- S Bankhead said she looked at the code for Park City and Midway, both of which have a CND zone and their codes are a little difficult to navigate. Maybe we could have one of the planners of those cities join us by phone in order to answer questions the Commissioners may have on writing code for a CND.
- H Hansen explained to the HPC that with the use chart, the city has a lot of control on what types of businesses could be included in CND, what hours of operation, types of signs, etc.
- L Campbell asked if an entire area would be allowed to have commercial businesses or if only certain homes would be allowed to have businesses. She also had a concern about how the commercial businesses would affect the price of surrounding residential homes.
- H Hansen said there has been discussion of limiting commercial businesses in the CND to only so many businesses per block or having a certain distance between commercial businesses.
- S Bankhead said that is really difficult to say. A commercial business could be regulated much more than a residential property. If a residential property is not taken care of that can devalue homes too and the city is limited on what it can make a residential property owner do.
- K Allen said while we restrict businesses, it is also important to make allowances for the business to make profits. Certain restrictions may hamper foot traffic.

- R James said there is a risk with everything. A business can grow, but it can also outgrow its CUP. He asked the HPC what their opinion was on infill around the historic structures.
- H Christensen said if you are going to allow commercial in the inner blocks, you are going to have to have access and it will affect houses. Flag lots should be restricted. He feels there is a potential for them to become an eyesore. If flat lots are going to be allowed, they need to be developed in the entire block.
- W Bitters said from an historical point of view, inner blocks should not be developed. The whole point of those inner areas was to provide a nice area behind those historical homes.
- S Bankhead said currently, flag lots are not allowed in the downtown area, but in the future it will be addressed again. People are getting to the point where they do not want to take care of all that property and younger residents are requesting those inner lots be accessible.
- H Christensen said flag lots are also a concern for fire access. If flag lots are allowed, the entire block needs to allow it and roads need to be built in with cul-de-sac for fire trucks and garbage collection.
- S Bankhead said a thru street could be built. It would not need to be a 56' right-of-way, but it would have to be at least 24'. That would be one way to do inner block development.
- H Hansen asked why areas in the downtown area don't allow flag lots, but some of the other areas in Providence allow them.
- S Bankhead said at one time there was a group of residents that wanted to preserve those big downtown lots and did not want flag lots, so the downtown ordinance was written.
- S Bankhead said the HPC can come to any Planning Commission meeting they want. As residents of Providence, they are welcome to come and offer their opinions.

Item No. 2. Proposed Code Amendment: The Providence City Planning Commission and Historic Preservation Commission will discuss a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 4 Establishment of Districts, establishing regulations for Commercial Neighborhood District (CND) by adding Section 6 Commercial Neighborhood District.

- Not discussed.

Item No. 3. Proposed Code Amendment: The Providence City Planning Commission and Historic Preservation Commission will discuss a proposed code amendment to Providence City Code Title 10 Zoning Regulations, Chapter 6 Use Regulations including uses in the CND.

- Not discussed.

Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

- No staff reports.

Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

- No Commission reports.

Historic Preservation Commission Discussion: The Historic Preservation Commission will discuss the proposal for the bell tower monument.

- H Christensen reviewed the progress of the bell tower monument. He put together a proposal and sent it to Kathleen Alder and she will take it to the Providence Pioneer Heritage to see if they can donate funds for the monument. He welcomed Gail Trowbridge to the HPC.

L Campbell left the meeting at 7:45 pm.

Motion to adjourn: R James, second – H Hansen

Vote: Yea: K Allen, H Hansen, R James, L Raymond

Nay: None

Abstained: None

Excused: W Baker, B Nielsen, W Simmons

Meeting adjourned at 7:50 pm.

Larry Raymond, Chairman

Caroline Craven, Secretary



Providence City

15 South Main Street
Providence, UT 84332
(435) 752-9441 • Fax: (435) 753-1586

PROVIDENCE CITY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Project Type: Code Amendment

Applicant: Providence City

Project Description: Amendments to Providence City Code Title 10 Zoning Regulations, Chapter 8 Area Regulations and Parking Requirements, Section 3 Setbacks allowing an covered porch to extend into the front yard setback.

Hearing Date: 09/23/2015

Hearing Time: 6:15 pm

Hearing Location: Providence City Office Building, 15 South Main, Providence UT

Prior to making a recommendation on this project, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. The Planning Commission invites you to attend the hearing in order to offer your comments.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,


Skarlet Bankhead
City Administrator/Recorder

Newspaper Publication Date(s): 09/13/2015

Posting Date: 08/31/2015

Posted on www.providencacity.com and the Utah Public Notice Website

10-8-3: **SETBACKS:**

A. Front Yard:

1. The minimum required front yard for uses in each of the zoning districts shall be in accordance with information provided on the space requirement chart shown in Section 10-8-1 of this Chapter.
2. The front yard shall be measured from the property line to the front face of the building, attached accessory building, accessory building, covered porch or covered terrace. ~~Steps,~~ Uncovered porches, eaves and roof extensions may project into the required front yard for a distance not to exceed four feet (4').
 - a. For existing homes, that do not meet the building code for entry landings:
 - i. A covered, unenclosed, entry may extend further than four feet (4') into the required front yard; but ~~shall~~ may not extend further than the minimum to meet the requirements in the building code for entry landings more than four feet (4') from the front of the house.
 1. Maximum porch size is 24 square feet.
 2. Roof may not extend more than one foot (1') past the front of the porch.
 - ii. Ramps that are added to allow for ADA access may extend into the required front yard; but shall not extend further than the minimum to meet the grade and landing requirements for ADA access.
 - iii. A site plan shall be submitted for zoning approval.
3. Where a building line has been established by a plat or covenant and such line requires a greater setback than is required by this Title, the building line established by plat or covenant shall prevail.
4. Gasoline service station pump islands may not be located closer than fifty feet (50') to the front property line (see subsection 10-8-6C7 of this Chapter).
5. A porch, stoop or stairs which are thirty inches (30") or greater in height shall be regarded as part of the building. Such porch, stoop or stairs requires a railing of not less than thirty inches (30") in height. This requirement applies to side and rear yards as well.
6. In residential districts, accessory buildings may be placed no closer than twenty five feet (25') to the property line, except in the SMH District which shall require only twenty feet (20').

ZONING

Background

A zoning ordinance was prepared and approved by the city council in 1991. Although eight zones were approved, most of the city was zoned 'R1' for 'single family residential', and 'A' for 'agricultural'. In the late 1980's the first 'R2', 'single family 10.000 sf lot, was approved. In 1996 the Utah State Legislature passed the 'Affordable Housing Bill #295, effective 1998, requiring each jurisdiction to provide their share of affordable housing. In order to meet this requirement a new use chart providing additional zones was adopted in 1999. Smaller lot size in single family, multi-family, and commercial zones were part of this latest a modification approved in 2000. In 2009 the City approved a modification to include the Mixed Use District (MXD).

Principles

- Protect and promote the health, safety, order, prosperity, and general welfare of the present and future inhabitants of the City.
- Protect life and property from natural hazards, and assure efficient and safe traffic movement.
- Conserve the value and integrity of rural residential neighborhoods, assure orderly growth, preserve culturally and historically important sites and landmarks, encourage good visual quality, and high aesthetic standards.
- Efficiently utilize and conserve the City's resources.
- Encourage attractive and functional commercial centers, and increase and stabilize the local tax base.

Master Plan Directive

The major goal of master plan zoning is to propose the direction in which the remaining areas of the city should develop. The city has accepted its responsibility for affordable housing by upgrading the use chart to include higher density zones. These zones should generally be on the perimeter of the city with good access to major roads without going through the core of the city. Zoning limits the number of houses per acre and allows for flexible development concepts.

When planning for residential development, the City should consider the following characteristics for each residential district:

District	Description
Single Family Estate	1 acre minimum lot size - is established to provide area where residential uses may be harmoniously integrated with incidental agricultural pursuits. This district is intended to protect the natural scenic character of the area by limiting development and to protect wildlife habitat. Farm animal and horticultural uses may be combined to provide a transition between higher density residential areas and agricultural areas

and to maintain a rural component of the City.

Single Family Large

0.5 acre [minimum lot size] – is established to provide area where residential uses may be harmoniously integrated with incidental agricultural pursuits. Limited farm animal and horticultural uses may be combined to provide a transition between higher density residential areas and agricultural area and to maintain a rural component of the City.

Single Family
~~Traditional~~ Residential

12,000 sq. feet [minimum lot size] – is established to provide areas for low density single-family housing without farm animal uses. Uses are intended to be compatible with the existing scale and intensity of the surrounding neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This zone is intended to represent the standard for residential development in the City.

Single Family
~~Residential~~ Medium
Density

10,000 sq. feet [minimum lot size] – is established to provide areas for medium density single-family housing in the City. Uses are intended to be compatible with the existing scale and intensity of the surrounding neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This zone is intended to represent the standard for residential development in the City.

Single Family High
Density

6,000 sq. feet [minimum lot size] – is established to provide for higher density residential developments such as, small lot single-family and multi-family infill developments. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

Single Family Mobile
Home

5,000 sq. feet [minimum lot size] – is established to provide for mobile home developments. Mobile homes are prohibited in all other districts. Mobile homes must meet the building code standard of construction in order to be established in this zone.

Multi-family

10,000 [sq. feet minimum lot size] – is established to provide

Residential Density	an environment suitable for a variety of housing types of a low density nature, including single-family, two-family, and multi-family dwellings, with a maximum height of thirty feet (30'). This district is appropriate in areas where the applicable master plan policies recommend multi-family housing with a density of less than fifteen dwelling units per acre. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.
Multi-family Medium Density	Is established to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum of thirty-five feet (35'). This district is appropriate in areas where the applicable master plan policies recommend a density of less than thirty (30) dwelling units per acre.
Multi-family High Density	Is established to provide an environment suitable for high density multi-family dwelling. This district is appropriate in areas where the applicable master plan policies recommend a maximum density less than eighty-five (85) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Such uses are designed to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The property along Highway 165 and the northwest part of Providence must be limited to commercial development. Development should consist mostly of retail sales to allow an increase in the city tax base (Commercial Highway District – CHD). ~~Commercial development outside of the mixed use district should have at least 30% green space to preserve the open and green character of the city. (Res 09-035-12/08/2009)~~

When planning for commercial development, the City should consider the following characteristics for each commercial district:

District	Description
Mixed Use (MXD)	The Mixed Use District (MXD) is established to stimulate by providing a unique planning environ which combines light commercial, office, and residential development in a pedestrian friendly manner. This district allows increased

Commercial Neighborhood (CND)	<p>development increased development on busier streets without fostering a strip commercial appearance. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City.</p> <p>The Commercial Neighborhood District (CND) is intended for small sites in or near residential neighborhoods. The district encourages the provision of small scale retail and service uses for nearby residential areas, and other uses which are small scale and have little impact. Uses are limited in size to promote a local orientation and to limit adverse impacts on nearby residential area. Development is intended to be compatible with the scale of surrounding residential areas. Parking area are restricted, since their appearance is generally out of character with the surrounding residential development and the desired orientation of the uses.</p>
Commercial General (CGD)	<p>The Commercial General District is intended to allow auto-accommodating commercial development. This district allows a full range of retail and service businesses. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in pedestrian areas. Development standards promote attractive development, and open and pleasant street appearance, and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.</p>
Commercial Highway (CHD)	<p>The Commercial Highway District (CHD) is intended to promote full range of retail businesses. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in pedestrian areas. Non-retail uses are allowed but limited in size to ensure they do not dominate the character of the of the retail area.</p>

No building construction should be considered above the deer fence.

Flexible planning concepts should be incorporated into the zoning ordinances allowing the city greater opportunity to create neighborhoods consistent with the Master Plan principles.

Current concerns include:

1. 1999 Use Chart
The master plan does not currently display the desirable areas for the new zones.
2. Zoning ordinance need further coordination and clarification, including:
performance based zoning criteria.
3. The new use chart may allow too many small lots

Future Needs:

Residential

- Planning for safe neighborhoods.
- Planning neighborhoods consistent with Master Plan principle.
- As property currently in the County, on the north side of the City, is annexed into Providence, it should be zoned Single-Family Traditional (SFT).
- As property currently in the County, on the east side of the City, is annexed into Providence, it should be zoned Single-Family Traditional (SFT).

Commercial

- Consider neighborhood commercial at ~~8th south and 10th east~~ 1000 South 300 East, 3rd north and 1st east West.
- Offer incentives for retail development.
- Development pays up-front cost.
- Rezone the property on the west side of SR165 to Commercial Highway District (CHD)
- Rezone the property on the east and west sides of SR165 to CHD from 300 South to the Providence / Millville boundary, as the property is annexed into the City.

Annexation

- Preserve and protect annexation declaration. Include Theurer property at southwest, and Celco property at southeast bench. Also include all properties south of Oliver Low's to USU property and west side of Hwy 165, and designate for commercial.

10-4-6: Commercial Neighborhood District (CND)

- A. Purpose: To provide for small scale, day-to-day convenience shopping and services for residents of the immediate neighborhood.
 - 1. The CND is intended for small sites in or near residential neighborhoods.
 - 2. The district encourages the provision of small scale retail and service uses for nearby residential areas, and other uses which are small scale and have little impact. Uses are limited in size to promote a local orientation and to limit adverse impacts on nearby residential area.
- B. Development Standards:
 - 1. Development will be predominantly pedestrian-oriented, creating a traditional neighborhood character with the entrances of the structures facing public streets.
 - 2. Development is intended to be compatible with the scale of surrounding residential areas. Parking areas are restricted, since their appearance is generally out of character with the surrounding residential development and the desired orientation of the uses.
 - 3. Parking is not permitted between the structure and the street in a CND zone (except in a traditional driveway). CND is intended for neighborhood traffic and shall be designed at pedestrian scale.
 - 4. Landscaping buffers shall be provided between parking areas and adjacent residential properties. Additional landscaping may be required to buffer adjacent residential properties.
 - 5. For purposes of business identification the following sign types may be used: blade, ground, and monument. Ground and monument structures shall be no larger than 32 square feet. Animated signs are prohibited. A sign meeting the home business regulations may also be used.
 - 6. Amplified sound. See Title 4 Chapter 9 of the Code.
 - 7. Preservation of existing historic structures is encouraged.
- C. Procedure:
 - 1. Changing to a CND zoning district. See Section 2.C of this Chapter.
 - a. A request for CND zoning shall also include a concept site plan and a market analysis which provides an analysis of supportable commercial space that verifies the demand for commercial use.
 - b. A CND development may occur in, and adjacent to, residential areas so long as it is compatible with, and makes a smooth transition to, the surrounding neighborhood.
 - 2. Site plan approval. The Administrative Land Use Authority (ALUA) shall be the land use authority for approval of site plans within the CND.
 - a. If the site is within the Historic Preservation District, the Historic Preservation Commission shall review the site plan and make recommendation to the ALUA.
 - b. The setback and lot size regulations of the surrounding residential zone shall be used to provide compatibility with the neighborhood.
 - c. CND shall be limited to parcels located at least 500 feet away from other CND zoned properties.
 - d. Ground floor (building(s) footprint) commercial areas shall be limited to 3,000 square feet.
 - e. See 10-8-5:A. for site plan requirements

This is not intended to be part of the code amendment. It is for reference information only.

10-4-2:C. *Changes: Changes in the boundaries of the zoning districts shall be made only by due process as set forth in Section 10-1-5 of this Title. (Zon.Ord., 5-8-1991)*

10-1-5: **AMENDMENTS, CHANGES:**

- A. *Zoning Title: Changes and amendments to this Zoning Title shall be done in accordance with State law¹.*
- B. *Zoning Change: Any change of zoning shall be by a vote of the City Council with at least three (3) Council members voting in favor of said change. Such action shall be taken only after a recommendation concerning such request for zoning change is received from the Planning and Zoning Commission or after the time for response has elapsed, after public notification, and after a public hearing is held in accordance with State law. (Zon. Ord., 5-8-1991)*

10-1-6: **NOTICE REQUIREMENTS:** (Ord. No. 004-2007, 01/23/2007; Ord. No. 001-2012, 04/10/2012)

- A. *Require Notice: At a minimum, the City shall provide actual notice or the notice required by state code, Title 10, Chapter 9a et.seq.*
- B. *Third Party (Adjacent Property Owners) Notice*
 - 1. *Unless otherwise required by Utah State Code, Providence City will require notice to be given to adjacent property owners of the adoption, modification, repeal or other action related to a land use ordinance. The City elects to provide notice to adjacent property owners as follows:*
 - a. *Mail notice to the record owner of each parcel; ~~or~~ and*
 - b. *Post notice on the property with a sign of sufficient size, durability, print quality, and location that is reasonably calculated to give notice to passer-by.*
 - 2. *For purposes of this section, "Adjacent Property Owner" means record owner of real property that shares a common boundary with the applicant's property or is separated by a public right-of-way or canal, stream, etc.*
- C. *Names and Address of Third Party Persons. In addition to any other information required from an applicant or petitioner under the provisions of the Land Use Ordinance, each applicant or petitioner shall submit to the municipality, with the required application or petition, a list stating the names and addresses of all owners of all relevant real property in order to the City to mail notice as set for in this ordinance. The cost of forwarding the notices may be charged to and collected from the applicant or petitioner.*

¹ U.C.A. §§ 10-9-402 and 10-9-403.

CHAPTER 6

USE REGULATIONS

SECTION:

10-6-1: Use Chart

10-6-2: Classification of New and Unlisted Uses

10-6-1: **USE CHART:** Land and buildings in each of the zoning districts may continue to be used, but no land shall herein after be used, and no building or structure shall hereinafter be erected, altered or converted which is arranged, designed or used for other than those uses specified for the district in which it is located as set forth by the following use chart and indicated by:

P = permitted use

C = conditional use permit required

X = special review required

I = Allowed only as a conditional use when incidental to a retail business with more than 15,000 square feet of floor area and:

- incidental to a single use (i.e.: a bank is incidental to retail business, not multiple businesses); and
- a department store, grocery store, health fitness center, or other retail business may have more than one incidental use associated with it; and
- the combined total of all incidental uses associated with a building may not exceed 12% of the gross square footage of the building or 6,000 sq ft whichever is less (administrative offices, restrooms, storage areas, and other enmities necessary for the operation of the retail business are not considered incidental uses) ; and
- cannot be a stand alone building (an unoccupied drive through structure(s) and/or fueling pads will be counted as part of the 12% but not included in the 6,000 sq ft cap of the incidental use); and
- must share the same public entrance(s); and
- a permitted business is not considered an incidental use; and
- incidental use must have its own business license unless owned and operated by the primary retail business.

= not permitted (absence of symbol)

If a use is not specifically designated, it is prohibited.

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
A.	Residential Uses																
1	Single family, detached	P	P	P	P	P	P	P	P	P			C			P	
2	Single family, attached					P	P	P		P	P	P				P	
3	Dwelling, two family									P	P	P				P	
4	Dwelling, three family									P	P	P				P	
5	Dwelling, four family									P	P	P				P	
6	Dwelling, multi-family											P				P	
7	Manufactured/modular	P	P	P	P	P	P	P	P	P	P	P				P	
8	Mobile/trailer home								P								
9	Secondary residential structure (OM 005-2005 01/13/04)	C	C		C												
10	Cluster development			C	C	C	C	C	C	C	C	C				C	

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
11	Inner block development		C	C	C											C	
12	Planned Unit Development	C	C	C	C	C		C	C	C	P	P				C	
13	Bed & Breakfast	C	C	C	C	C							C	C		C	
14	Hotel/motel											C	C	C		C	
15	Lodging house									C	C	C	C	C		C	
16	Residence for persons with disabilities		P	P	P	P	P	P	P	P	P	P				C	
17	Residential facility for the aged		P	P	P	P	P	P	P	P	P	P				C	
B.	Accessory/Incidental Uses																
1	Accessory building	P	P	P	P	P	P	P		P	P	P	P	P	P	P	
2	Accessory dwelling unit	C	C		C	C	C									P	
3	Accessory farm building	P	P	P	P	P											
4	Off street parking incidental to main use	P	P	P	P	P	P	P		P	P	P	P	P	P	P	
5	Private swimming pool	P	P	P	P	P	P	P		P	P	P	P	P		P	
C.	Governmental/Institutional/Special Services																
1	Church	P	P	P	P	P	P	P	P	P	P	P					
2	Ministers, rabbis, priests, and other similar ordained religious work	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P				
3	Community center	P	P	P	P	P	P	P	P	P	P	P	P	P			
4	Day care nursery	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	I or C*	C	
5	Preschool	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P			C	
6	Public Park	P	P	P	P	P	P	P	P	P	P	P				P	P
	Private Lessons / public facility																C
7	Public School (OM 020-2004)	P	P	P	P	P	P	P	P	P	P	P					
8	Public building	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
D.	Utility and Related Service																
1	Electric substation	C	C														
2	Electric power plant	C															
3	Fire station	P	P	P	P	P	P	P	P	P	P	P	P	P		P	
4	Gas meter station	P	P	P	P	P	P	P	P	P	P	P					
5	Irrigation supply	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	Utility distribution lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Radio/TV/cellular tower													C			C
8	Sewage/water pumping station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9	Telephone utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10	Public utilities, other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11	Utility shop, storage and bldgs	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12	Water treatment plant	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13	Water well reservoir or storage tank	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
E.	Professional Services																
1	Business office,	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C			P	

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
	medium impact												P				
2	Business office, low impact	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P			P	
3	Business office, general												C	P	I or C*	P	
4	Clinic, dental												C	P	I or C*	P	
5	Clinic, medical												C	P	I or C*	P	
6	Clinical Social Worker												C	P	I or C*	P	
7	Office for single physician, dentist, or chiropractor	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P		I or C*		
8	Licensed professional	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P	I or C*	P	
9	Mortuary	C^	C^	C^					C^	C^	C^	C^	C	P		P	
10	Optical shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P	I or C*	P	
11	Pharmacy	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P	I or C*	P	
12	Private school, teaching, tutoring(1 or 2 students at a time)	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^					
13	Private school, teaching	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P		P	
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^	P				
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C	P	I or C*	P	
13	Dressmakers, seamstresses, tailors, upholsters, and related occupations	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^	P				
14	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	P^	P^	P^	P^	P^	P^	P^	C^	C^	C^	C^	P				
15	Veterinarian^	C^	C^	C^					C^	C^	C^	C^	P C	C		P	
F.	Retail/Related Uses																
1	Adult oriented business													C			
2	Food preparation, catering, etc	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	P	C
3	Bakery/Confectionery sales												P	P	P	P	
4	Barber/beauty shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	P	
5	Book/Stationery Store												p	p	p	P	
6	Computer Store												p	p	p	P	

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
7	Department store													p	p	P	
8	Florist Store												p	p	p	P	
9	Furniture Store													p	p	P	
10	Specialty Store/Shop	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P		P		
11	Grocery store	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	p	P	
12	Hardware store													p	p	P	
13	Home & Garden store												p	p	p	P	
14	Laundry/dry cleaning store												p	p	p	P	
15	Liquor store (OM 015-2004)													p	p	P	
16	Music Store												p	p	p	P	
17	Paint Store													p	p	P	
	Pet Grooming	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	P	P	P	
18	Pet Store												C	p	p	P	
19	Restaurant/fast food												p	p	p	P	
20	Shoe repair	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	p	p	p	P	
21	Small appliance repair	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	C^	P	p	p	C	
22	Variety Store												p	p	p	P	
23	Commercial complex												p	p	p	P	
24	Shopping center													p	p	P	
25	Tire sales, retail (OM 001-002, 02/27/01)													c	P		
26	Yard sales on an occasional basis	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^	P^					
G.	Commercial/Related Uses																
1	Auto Sales – New & Used (OM 016-2004 05/11/04)													P	P		
2	Auto Sales –Used (OM 016-2004 05/11/04)																
3	Auto wash												P	P	P		
4	Bank/financial													C	I or C*	P	
5	^^^Nondepository Financial Institutions													P	I or C*		
6	Building materials													P	P		
7	Dance hall																
8	Gasoline/petroleum storage (not bulk)	C	C	C	C								C	C	C		
9	Gasoline sales/service												P	P	P		
10	Fitness Center Commercial (Gym)												C	P	P	P	
11	Convenience store												P	P	P		
12	Night club																
13	Print shop/sales	C^	C^	C^	C^	C^	C^	C^					P	P	P	P	
14	Recreation/Entertainment													P	I or C*		
15	Research facilities	C^	C^	C^	C^	C^	C^	C^				P					
16	Theater													P	P	P	
17	Vehicle storage																
H.	Industry and Manufacturing																
1	Auto repair, paint and body shop																
2	Bldg maintenance & repair services																

		A G R	S F E	S F L	S F T	S F R	S F M	S F H	S M H	M F R	M F M	M F H	C N D	C G D	C H D	M X D	P U B
3	Cabinet Shop																
4	Clothing Manufacturer																
5	Furniture Manufacturer																
6	General contractor yard																
7	HVAC shop/sales																
8	Ice cream plant																
9	Lumber yard													P			
10	Paint Shop													P			
11	Welding/machine Shop													C			
12	Wholesale outlet/storage and sales													P			
13	Light Manufacturing													C			
14	Motorcycle, Snowmobile, ATV, etc repair	C^	C^	C^	C^	C^	C^	C^	C^								
I.	Agriculture and Related Uses																
1	Beekeeping 4 or less colonies	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^
C^^ 1A	Beekeeping More than 4 colonies	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^	C^ ^
2	Breeding or raising animals for sale, food, pleasure, or profit	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^											
3	Keeping dogs, cats, fish, or exotic caged birds	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	P^ ^	C	C	I	P	
4	Commercial crop production	P	P	P													
5	Dairy business	P^ ^	P^ ^	P^ ^													
6	Feed lot	C															
7	Gardens and orchards for home use	P	P	P	P	P	P	P	P	P	P	P	P			P	
8	Ranch/farm production and operation	P	P														
9	Garden and greenhouse plants and produce for wholesale or retail sales OM-007-2006 05/23/2006	C^	C^	C^	C^	C^	C^	C^	C^				P				

^Use is allowed as a permitted or conditional use only if it is a home business, child care business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses

^^Must conform to Title 5 Chapter 1 of this Code, Animal Regulation and Control.

^^^Nondepository financial institutions are businesses that conduct transactions of cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the State of Utah pursuant to the check cashing and deferred deposit lending registration act. Nondepository financial institutions shall be limited by the population of all residents in Providence City. The total population figures shall be based on the US Census Bureau's annual estimates. Only one nonfinancial institution shall be allowed for a population of 0 – 7,000. and 1 per 7,000 thereafter.

*The following conditions apply to a non-sales tax generating business (NSTGB) located in the CHD zone:

1. The combined total of all NSTGB will be limited to no more than 15% of the combined existing gross leasable space (GLS) of buildings in the project area; the GLS of a building is based on the

square footage of the ground floor; upper levels are not included in the combined totals for or against the 15% limitation.

2. The project area is the approved preliminary plat.
3. Incidental uses in the project area are not computed in the 15% limitation.
4. NSTGB may be in a free standing building of its own or part of a multi-tenant building with separate outside entrances for the public.

10-6-2: CLASSIFICATION OF NEW AND UNLISTED USES:

A. Request; Referral: Requests for a new use or unlisted conditional use shall be referred to the Planning Commission chairperson for consideration by the Planning Commission. Applications for a new use and unlisted conditional use will be processed in accordance with the procedures listed in subsection 10-3-5:C of this Title to determine if such use should be permitted and added to the current list of approved uses. The Planning Commission shall forward to the City Council a recommendation to accept or reject the request. The Planning Commission shall also forward, with any recommendation for approval of a new use, the necessary ordinance amendments to implement the use.

B. City Council Action: The City Council will approve or disapprove the recommendation. Upon approval, the Process will be started to amend the necessary City ordinances in accordance with the procedures outlined for ordinance amendments and changes. (Ord., 7-23-1996)

CHAPTER 15
SIGN REGULATIONS

SECTION:

- 10-15-1: Definitions
- 10-15-2: Permit Required
- 10-15-3: Application for permit
- 10-15-4: Fee for Permit
- 10-15-5: Permitted Signs; Table
- 10-15-6: Rules, Regulations and Requirements
- 10-15-7: Penalty
- 10-15-8: Illumination
- 10-15-9: Electronic Message Displays (EMD)

10-15-1: DEFINITIONS: As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

- A-FRAME:** A temporary or removable sign constructed with two (2) sides attached at the top so as to allow the sign to stand in an upright position.
- AWING SIGN:** A roofed structure constructed of fabric, metal or other appropriate construction materials placed so as to extend outward from the building, providing a protective shield for doors, windows and other openings in the building, with supports extending back to the building, supported entirely by the building.
- BALLPARK ADVERTISING BANNER:** A banner attached to an athletic facility fence or building which identifies and advertises the sponsor.
- BEACON LIGHT:**
- A. Any light with one or more beams, capable of being directed in any direction or directions, or capable of being revolved automatically; or
 - B. A fixed or flashing high intensity light, such as a spotlight, a floodlight or a strobe light.
- BILLBOARD:** A freestanding, pay for use sign, erected for the purpose of advertising or promoting a product, event, person, etc.
- BLADE SIGN:** An attached sign oriented perpendicular to the face of the building which projects more than twelve inches (12") beyond the surface of the building to which it is affixed or supported.
- BUSINESS SIGN:** A sign identifying a commercial or industrial business on the same premises as the sign by name and/or logo. Business sign types are: ground, low-profile, nameplate, projecting, roof, wall, and billboard/on-premises signs.
- ELECTRONIC MESSAGE BOARD:** An electronic sign which flashed on or rolls a message across it about the services or products of the business and may also have the time and temperature displayed. The electronic message sign may be incorporated into a business sign, but may not increase that sign's maximum size or height. Electronic Message Signs will be allowed in

permitted zones only after receiving approval for a conditional use.(OM 014-2005)

FEATHER FLAG:	A banner (flag) on a single pole, designed to stay open and remain taut. Printed image may be single sided or double sided. Feather Flag may be posted for a period of not more than 60 days. Must be placed and secured in a manner that does not impede use of a sidewalk or travel path, and does not create a traffic hazard. Must have a minimum distance of twenty-five feet (25') between flags.
FLAT SIGN:	A sign erected parallel to and attached to the outside wall of a building. Signs flat against buildings or other structures will be allowed to extend two feet (2') above the roof lines or parapet walls of the building. When a building has more than one level, the wall on which the sign is installed will govern.
GROUND SIGN:	A sign supported by a fixed permanent frame or support in the ground with no support or guying from any building. Ground signs must be a minimum of twenty-four inches (24") in height.
HEIGHT – SIGN:	As applied to a sign, height shall be measured as the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and finished grade at the center of the base of the sign.
HEIGHT – LETTER/LOGO:	The height of each individual letter, logo, symbol, and/or icon in a sign.
HIGHWAY SIGN:	A sign along SR165 (and east along the north side of 100 North for a distance not to exceed twenty feet (20') from the Logan/Providence boundary on the north side of 100 North) identifying a commercial or industrial business on the same premises, or within the same development boundaries as shown on the approved preliminary plat, as the sign by name and /or products by name and/or logo. It may also include an electronic sign which flashes on or rolls a message across it. Highway signs must have sufficient clearance and/or setback for visibility so as not to create a safety hazard. (OM006-01; OM 011-2002).
HOME BUSINESS:	One unanimated, non-illuminated, flat, nameplate sign, having an area of not more than three (3) square feet. (OM98-019)
IDENTIFICATION SIGNS:	A sign displayed to indicate the name or nature of buildings, or industrial uses, located upon the same premises as the sign, i.e.: schools, hospitals, churches, etc.
ILLUMINATION:	<p>The enhancement of a sign utilizing electric lights, luminous tubes or other similar means.</p> <ul style="list-style-type: none">• Direct Illumination: Lighting by means of an unshielded light source (including neon tubing) which is effectively visible as part of the sign, where light travels directly from the source to the viewer's eye.• Indirect Illumination: Lighting by means of a light source which

is directed at a reflecting surface in such a way as to illuminate the sign from the front, or the entire building façade upon which the sign is displayed.

- Internal Illumination: Lighting by means of a light source which is within a sign having a translucent background silhouetting opaque letters or designs, or which is within letters or designs which are themselves made of translucent materials.
- Fluorescence: The emission of light by a substance that has absorbed light or other electromagnetic radiation; which produces a short-wave ultraviolet light that then causes a phosphor coating on the inside of the bulb to glow.
- Neon Lighting: Light consisting of brightly glowing, electrified glass tubes or bulbs that contain rarefied neon or other gases.

INFLATABLE:	Any device/object supported by heated air, forced air, or other gases for the purposes of drawing attention to a business.
MENU SIGNS:	Any display of all or part of a food service menu, or a summary thereof, in such a way that it is visible from the exterior of the building.
MONUMENT:	<p>Any sign which is connected to the ground and which has no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign includes a sign face and sign structure, and may also include a sign base and sign cap as described below:</p> <ul style="list-style-type: none">• Sign Base: The above-ground foundation of the sign, which includes the exposed concrete footing for the sign.• Sign Face: The surface of the sign in which the sign message is located.• Sign Structure: The structure surrounding the sign face.• Sign Cap: A part of the sign structure located above the sign face that is constructed of a different masonry material and/or extends horizontally from the rest of the sign structure.
NAMEPLATE SIGNS:	A sign erected parallel to and attached to the outside wall of a building indicating the name and/or occupation of a person or persons residing on the same premises or legally occupying the same premises, or indication a home business legally existing on the premises of the signs.
OFF-PREMISES:	A sign advertising merchandise, services, or businesses other than those available on the premises. A sign within the same development boundaries as shown on the approved preliminary plat, of the sign's location is not considered off-premises.
POLITICAL SIGN:	A sign used in behalf of a candidate for public office or in opposition to or in support of a ballot proposition as defined under section 20A-1-102 UCA. Political signs are considered expressions of freedom of speech. They must be placed on private property and must be placed so they do not obstruct the view of pedestrians or drivers of vehicles (motorized or non-motorized). Depending on the structure, a permit

may be required.

PROJECTING SIGN:	A sign attached to a building or other structure and extending in whole or in part more than twenty-four inches (24") beyond any wall of the building or structures. The sign may not project above the roof line or tallest part of the structure.
PROPERTY SIGN:	A sign related to the property upon which it is located and offering such property for sale or lease, or announcing improvements to the site during the construction of the project. Property signs may also be used to warn against trespassers.
ROOF TOP SIGN:	A sign attached to the roof top of any part of the structure. Roof top signs are not permitted.
SAIL BANNER: SIGN:	See Feather Flag. Every name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display, poster, beacon, light or insignia which directs attention to any object, project, service, place, activity, person, institution, organization, or business. The sign consists of the sign area and the sign structure.
SIGN AREA:	A two-dimensional area on a building or other permitted sign structure that is the area that encompasses the proposed sign in its entirety.
SIGN STRUCTURE:	The structure supporting any of the same, affixed directly or indirectly to or upon any building or outdoor structure, or erected or maintained upon a piece of land.
SERVICE SIGN:	A sign which is incidental to a use lawfully occupying the property upon which the sign is located and which sign is necessary to provide information to the public, such as direction to parking lots or location of the restrooms.
SNIPES SIGN:	A sign attached to a public utility pole, fixture poles, canopy supports, or the supports for another sign and attached by someone other than the pole or support owner or agent. Snipe signs are not permitted.
STREET BANNER SIGN:	A temporary fabric sign suspended across a City street. The Banner may only advertise a public service event.
STREET SIGN:	Signs used for traffic, including but not limited to: regulatory, directional, stop, speed limit, street closure, construction, etc.
TEMPORARY SIGN:	Any sign, banner, pennant, balloon or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames, intended to be displayed outdoors for a short period of time. Temporary signs may be posted for a period of not more than 30 days or until 24 hours after the event, whichever is shorter.

TEMPORARY IDENTIFICATION SIGN:	A sign displayed to indicate the name or nature of business, buildings, or industrial uses, located upon the same premises as the sign, i.e.: schools, hospitals, churches, etc. that may be a banner or pennant, constructed of paper, cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without light frames, intended to be displayed outdoors for short periods of time. Temporary identification signs may be displayed for a period of no more than 180 days.
WALKING ADVERTISERS:	Persons carrying or wearing portable advertising signs or costumes designed to advertise a business, event sale or season/holiday. The advertiser must remain on private property and not block the view or path or disrupt motorized or non-motorized vehicles, or pedestrians.
WALL SIGN:	A sign that is either painted on a wall or its facing, or is painted in such a way that it gives the visual appearance of being painted on a wall or facing by not having a frame or separation from the wall or facing. (OM 12-233)
WIND SIGN:	A sign consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by the wind or breeze.
WINDOW SIGN:	A sign which is painted on, applied or attached to, or located within three feet (3') of the interior of a window; which sign can be seen through the window from the exterior of the structure.

- 10-15-2: PERMIT REQUIRED: Unless otherwise provided in this Chapter, all signs erected, altered or relocated within the City shall require a sign permit prior to its erection, installation, alteration or relocation, and must be in compliance with the provisions of this Chapter.
- 10-15-3: APPLICATION FOR PERMIT: Forms for a sign permit will be available in the City office during regular business hours. (OM 12-233) The permit application shall contain the following:
 - A. Site Plan. Sign permit applications must contain a site plan drawn to scale indicating the location of the proposed signage, existing signage, existing and future buildings, property lines, streets, sidewalks, landscaped areas, driveways and "clear view"(see Chapter 9 of this Title) areas on corners, driveways or intersections.
 - B. Sign Drawing. A drawing to scale indicating the type of sign, proposed sign dimensions, construction specifications, electrical components and wiring, method of attachment, and illumination specifications.
 - C. Elevation. An elevation drawing of existing and/or future buildings that will display the attached signage.
- 10-15-4: FEE FOR PERMIT: Sign permit applications will be reviewed according to a fee schedule established by resolution of the City Council and/or fees established by the International Building Code.
- 10-15-5: PERMITTED SIGNS; TABLE: The signs described in the table as provided in this Section shall be allowed within the provisions specified therein. Any sign not specifically permitted by this Chapter is

prohibited. Unless noted otherwise, the sign dimension regulations identified below are measured in linear feet.

Types	Structure			Face			Permitted Zones	Illumination Allowed	Permit Required	Additional Regulations
	Area Max (Sq Ft)	Height Max Linear ft	Height Min Linear ft	Area Max (Sq Ft)	Height Max	Height Min				
A-Frame	8	4					CGD, CHD, CND, MXD	None	No	
Attached										
Awning	Note 1	12	8				CGD, CHD, CND, MXD	In	Yes	
Ballpark Advertising Banner				60			All PUB	No	No	
Billboard							None			
Blade	6		8				CGD, CHD, CND, MXD			
Business										
Electronic Message	40	14					CGD, CHD, CND, MXD	Pr	Yes	
Feather Flag		17		40	17		CGD, CHD, CND, MXD		No	
Flat (Note 2 and 5)	200	35					CGD, CHD, CND, MXD	In-FI-Ne	Yes	
Ground (Note 8)	160	14	2				CGD, CHD, CND, MXD	In-FI-Ne	Yes	
Highway (Note 6)	222	35					CGD, CHD	None	Yes	
Home Business	3						Residential and AG	None	No	
Identification	12	8					All	In-FI	Note 4	
Inflatable	Note 9			Note 9			CGD, CHD			
Low Profile	12	4	2				CGD, CHD, CND, MXD	In	Yes	
Menu	24	6					CGD, CHD, CND, MXD	Pr-In	Yes	
Monument (Note 7 and 8)	100	7					CGD, CHD, CND, MXD	In-FI-Ne-Pr	Yes	
Nameplate	4	8					All	None	No	
Off-Premises										
Political							All			
Projecting	16	14					CGD, CHD, CND, MXD	In-FI-Ne-Pr	Yes	
Property	32	8					All	None	No	
Roof							Non			
Service	18	8					All	In	Yes	
Street Banner										
Snipe							None			
Street Sign							All			
Temporary (Note 3)	32						All	None	No	
Temporary Identification	32	35					CGD, CHD, CND, MXD	None	Yes	
Tower										
Walking							CGD, CHD,			

Types	Structure			Face			Permitted Zones	Illumination Allowed	Permit Required	Additional Regulations
	Area Max (Sq Ft)	Height Max Linear ft	Height Min Linear ft	Area Max (Sq Ft)	Height Max	Height Min				
Advertisers							CND, MXD			
Wall	6	8					CGD, CHD, CND, MXD	In	Yes	
Wind		8					CGD, CHD			
Window							CGD, CHD, CND, MXD			
Notes: 1. Width cannot exceed frontage of building. 2. May not project above roof line. 3. Temporary signs must be removed within 24 hours of event. 4. Permit not required if no illumination 5. Or 20% of building face, whichever is smaller. 6. Must have a conditional use permit and not any closer than 500 foot intervals. 7. 1 per street frontage with a maximum of 2 (separated by a minimum of 500 100 feet). 8. When used in a CND zone, no larger than 32 square feet. 9. 10 feet if tethered or attached so the inflatable stays on the ground, 50 feet if tethered or attached allowing the inflatable to float in the air. Illumination Codes 1. Dir – Direct 2. Fl – Fluorescence 3. In – Indirect 4. Int - Internal 5. Ne – Neon 6. Pr - Projection										

10-15-6: RULES, REGULATIONS, AND REQUIREMENTS:

- A. Animated, Flashing, Intermittent Signs: Animated, flashing and intermittent signs shall not be permitted in any zone, except when deemed necessary by the City for public safety. These signs are different that “electronic message signs” as defined in Section 1 of this Chapter.
- B. Construction Standards: All signs erected in the City shall comply with the current standards of the National Electrical Code, the International Building Code, and all the provisions of the Title.
- C. Illumination: Signs may be illuminated as indicated in the table provided in Section 5 of this Chapter; and shall be subject to the conditions listed in Section 8 of this Chapter.
- D. Maintenance: All signs shall be maintained in a neat and presentable condition. Those signs damaged by weather conditions or by accident shall be repaired within thirty (30) days or shall be replaced or removed. The removal of signs shall be at owner’s expense.
- E. Public Property: No sign shall be located on or in public property except signs for City sponsored events, regulatory and/or information street signs.
- F. Unsafe Signs: Any sign or portion thereof declared unsafe by the Building Inspector, or other designated City employee/official, must be restored to a safe condition within thirty (30) days of mailing or otherwise giving notice of the unsafe condition or shall be removed within the same thirty (30) day period.
- G. Holiday Decorations and Banners: Holiday decorations and banners placed by the City are not subject to the requirements of this Chapter, except that they are safe. Similar decorations and

banners placed by residents on private property are not subject to the requirements of this Chapter except for the consideration for safety and shall not constitute a nuisance, and they shall be entirely on private property.

- H. Traffic Hazard: No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where by reason of the position, shape or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device or which makes use of the words "stop", "drive-in", "danger", or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic. (OM12-233) Please see Chapter 9, Section 2 of this Title for obstruction of vision regulations.
- I. Trip Hazard: To minimize trip hazards, all signs must be a minimum of twenty-four inches (24") in height.
- J. The following are not considered signs for the purpose of this Chapter: mail boxes, address names and numbers, national and state flags (flag poles on residential properties shall be no taller than thirty-five feet (35') in height).
- K. Closure or Relocation of a Business, Institution, or Non-Profit Business/Organization: Business signs must be removed within thirty (30) days after a business, institution, or non-profit business/organization no longer exists at that location.

10-15-7: PENALTY, CONFISCATION OF SIGNS:

- A. Penalty: Any person who fails to abide by the provisions of this Chapter shall be guilty of a Class C misdemeanor and subject to penalty as provided in Title 1 Chapter 4 Section 1 of this Code.
- B. Confiscation of Signs: The City Administrator, or designee, may confiscate any sign located on public property in violation of this Chapter or any other City ordinance. Confiscated signs shall be stored at a location determined by the City Administrator, or designee, for a period of thirty (30) days; during which time, the owner or person having charge, control, or benefit of the confiscated sign, may redeem the sign after payment of any applicable penalties. The City shall not be liable for damages incurred to signs as a result of their confiscation. Signs not redeemed within thirty (30) days may be destroyed.
- C. Liable for Damages: In addition to civil penalties, sign owners and persons having charge, control or benefit of any sign erected in violation of this Chapter shall be liable for any damages caused to public property, public facilities or public utilities by reason of placement, attachment and/or removal of such unlawful signs.

10-15-8: ILLUMINATION: Illuminated signs shall be subject to the following conditions:

- A. Any direct light used for the illumination of a sign shall be shielded so that the beams or rays of light will not shine directly onto surrounding areas.
- B. Neither the direct nor the reflected light from any light sources shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
- C. Signs in residential and agricultural zones shall be non-illuminated, unless illumination is clearly required for safety purposes.
- D. Signs in commercial zones may be illuminated, provided they do not shine directly into a residential zone.

- 1
2 E. Lights used for direct illuminated signs may extend from the sign a distance not to exceed five
3 feet (5'), provided such lights are shielded and are on private property.
4
5 F. Individual incandescent bulb illumination which is designed to be an integral part of a sign,
6 marquee, canopy, architectural projection, or building façade embellishment shall be permitted
7 as provided:
8 1. Frosted, translucent or diffused bulb: twenty-five (25) watt maximum per bulb;
9 2. Clear, transparent or bare bulb: seven and one-half (7 ½) watt maximum per bulb;
10 3. Such light shall not blink, flash, move, scintillate, flicker, vary in intensity or color or use
11 electrical pulsations, with the exception of those placed behind rigid, permanently
12 affixed translucent panels and are approved by conditional use. Time-temperature-date
13 signs incorporating the use of blinking lights shall also be permitted if a conditional use
14 permit is granted.
15
16 10-15-9: ELECTRONIC MESSAGE DISPLAYS (EMD): Electronic message displays shall conform to the
17 following:
18 A. EMD shall be allowed as part of a monument or freestanding sign in all commercial zones.
19
20 B. Permits shall be required for all EMD signs pursuant to Section 2 of this Chapter. Before a permit
21 is issued, the applicant must first obtain a conditional use permit.
22
23 C. Off premises advertising on an EMD is prohibited with the exception of public service
24 announcements.
25
26 D. Operators of EMD are encouraged to provide opportunities for the placement of public service
27 announcements on their message boards.
28
29 E. The minimum spacing between EMD signs shall be one hundred feet (100').
30
31 F. Autodimming is required.
32
33 G. The minimum time for sign messages shall be three (3) to five (5) seconds.
34
35 H. A maximum of fifty percent (50%) of the EMD sign may be dedicated to electronic messaging.
36
37 I. EMD signs facing residential housing units shall not be placed such that the housing unit falls
38 within an area formed by an arc projecting from the face of the sign at an angle of fifteen
39 degrees (15°) and extending a distance of three hundred feet (300') in the direction of the
40 projection.
41
42 J. EMD monument signs are not to exceed six feet (6') in height and the base shall not exceed two
43 feet (2') in height.
44
45 K. Prohibited transitions:
46 1. Flashing.
47 2. Travel.
48 3. Scroll
49 4. Video
50
51 L. Permitted transitions:

1
2
3
4
5
6
7

1. Dissolve.
2. Fade.
3. Frame.
4. Animation, six (6) second maximum.

DRAFT 2